

GOVERNMENT OF TELANGANA
A B S T R A C T

PUBLIC SERVANTS – Scheduled Castes Development Department – Allegations of possession of disproportionate assets to the known sources of income against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy district and now retired as District Social Welfare Officer O/o Joint Director, Ranga Reddy district– Imposition of penalty of 50% cut in pension permanently under Rule 9 of A.P. Revised Pension Rules, 1980–Orders – Issued.

SCHEDULED CASTES DEVELOPMENT (SER.A2) DEPARTMENT

G.O.RT.No. 9

Dated: 12-01-2016

Read the following:

- 1.From the Director General, ACB, A.P, Hyderabad Lr.No. 176/RCA-HRG/2007, dt. 5.12.2007.
- 2.G.O.Rt.No. 309, SW(Ser.III) Dept., dt. 7.5.2008.
- 3.Govt.Memo No.8414/SW.Ser.III.2/2007-7,Dt.4.11.2008
- 4.From the Director General, ACB, Lr.Rc.No.176/RCA- HRG/2007, dt.15.12.2008.
- 5.Government Memo No. 8440/SW.Ser.III(2/2007-2,dt.25.3.2009.
- 6.From the Commissioner of Social Welfare, A.P.Hyd., Procgs. Rc.No. J1/9849/2008, dt.13.5.2009.
- 7.Explanation of Sri B.Muthaiah,DSWO, Ranga Reddy district dt.13.6.2011.
- 8.From the Commissioner of Social Welfare,A.P, Hyderabad Procgs.Rc.No.J1/9446/2007-1, dt.29.6.2011.
- 9.G.O.Rt.No. 746, SW (Ser.III.2) Dept., dt. 16.9.2011.
- 10.From the Commissioner of Social Welfare,A.P. Hyd., Procgs. Rc.No.J1/9446/2007, dt.23.5.2012.
- 11.From the Commissioner of Social Welfare,A.P.Hyd., Lr.Rc.No. K1/9446/2007, dt. 4.4.2014.
- 12.From the Hon'ble High Court orders dt. 10.7.2014 in W.P. No.37112/2012.
- 13.Govt.Memo No.8440/SCD.Ser.A2/2007,dt.12.9.2014.
- 14.From the Director, SCD, TS, Hyd., Lr.Rc.No. A3/9447/2007, dt. 10.10.2014 along with explanation of the charged officer on the inquiry report dt. 7.10.2014.
- 15.Govt. Memo No. 8440/SCD.Ser.A2/2007,dt.8.12.2015
- 16.Explanation of Sri B.Muthaiah, DSWO(Retired), Dt. 11.12.2015.
- 17.Govt. Letter No. 8440/SCD.Ser.A2/2007, dt.18.12.2015.
- 18.From the Secretary, TSPSC, Hyderabad Lr.No. 825/RT/TSPSC/2015, dated 2.1.2016.

ORDER:

In the reference 1st read above, the Director General, ACB, Hyderabad has stated that on credible information that Sri Boda Muthaiah, Assistant Social Welfare Officer(U/s), formerly of Ibrahimpatnam, Ranga Reddy district while working as public servant in various capacities from 1974 to 2007 in Social Welfare Department had indulged in corrupt practices during his service and amassed properties disproportionate to his known source of income. The Director General, ACB, Hyderabad has requested to continue the Accused Officer who is already under suspension in the case in connection with misappropriation of Government funds by way of sanctioning of Scholarships to fictitious SC Students during the years 1984-85 to 1986-87. The Director General, Anti Corruption Bureau , Hyderabad has also requested to authorize the investigating officer of ACB of this case under Sec. 3 of Criminal Law Amendment Ordinance, 1944 for filing an application in the court of the Addl. Special Judge for SPE & ACB Cases at Hyderabad, for attachment of properties worth Rs.57,67,762 as described in the Annexures –I to V.

[P.t.o...]

2. In the reference 2nd read above, Government, after careful examination of the entire matter in detail, have issued orders authorizing the Investigating Officer of ACB for filing an application in the Court of Addl. Spl. Judge for SPE & ACB Cases, Hyderabad for attachment of the properties of the worth of Rs. 57,67,762/-. In the reference 3rd read above, the Accused Officer was reinstated into service on the directions issued by the Hon'ble APAT, Hyderabad.

3. In the reference 4th read above, the Director General, ACB, Hyderabad in his final report has recommended to prosecute the Accused Officer in a court of law for the offences punishable under sections 7 and 13 (2) read with section 13 (1) (e) of the P.C. Act, 1988 and also initiate departmental action against the Accused Officer for violation of Rule 9 (1), (2), (7), (8) r/w Rule 3(1) and (2) APCS (Conduct) Rules, 1964.

4. In the reference 5th read above, Government have been requested the Commissioner of Social Welfare to entrust the matter to the departmental enquiry against the Accused Officer Sri B.Muthaiah, A.S.W.O. and after receipt of the Enquiry Report refer to the Government.

5. In the reference 6th read above, the Commissioner of Social Welfare, Hyderabad framed the (45) charges against the Charged Officer and called for his explanation. Sri B.Muthaiah, District Social Welfare Officer (Retired), Ranga Reddy district has submitted his written statement of defence vide reference 7th read above.

6. In the reference 8th read above, the Commissioner, Social Welfare, Hyderabad appointed Smt.M.Prasanthi, Joint Director O/o Commissioner of Social Welfare, A.P, Hyderabad as Inquiring Authority to conduct regular detailed enquiry into the charges framed against Accused Officer. Smt T.Laxmi, Inspector of Police, ACB, Hyderabad Range was appointed as Presenting Officer to present the case on behalf of the disciplinary authority in support of the article of charges vide reference 10th read above.

7. In the reference 9th read above, orders have been issued sanctioning provisional pension @ 75% of the normal pension admissible to Sri B.Muthaiah, DSWO (Retd), Ranga Reddy district under Rule 52(1) (a) of the A.P.Revised Pension Rules, 1980, pending finalization of the disciplinary case.

8. In the reference 11th read above, the Commissioner of Social Welfare (FAC), Hyderabad has furnished the inquiry report submitted by the Joint Director & Inquiring Officer O/o Commissioner of Social Welfare, Hyderabad in respect of Sri B.Muthaiah, formerly ASWO, Ibrahimpatnam, Ranga Reddy district and retired as DSWO and requested the Government for taking further course of action in the matter.

9. In the reference 12th read above, the Hon'ble High Court of Judicature at Hyderabad for the State of Telangana and A.P. have directed the Government to pass appropriate orders after following the due procedure on the enquiry report within a period of 4 weeks.

10. In the reference 13th read above, the Director, Scheduled Castes Development, Telangana, Hyderabad was requested to communicate the Inquiry Report to Sri B.Muthaiah, formerly ASWO, Ibrahimpatnam, Ranga Reddy and retired as DSWO O/o the Joint Director (Social Welfare), Ranga Reddy district under Rule 21 of A.P.C.S.(CC&A) Rules, 1991 with a request to submit his explanation if any on the findings of the Inquiry Officer within 15 days from the date of receipt of the memo to the Government immediately. If no explanation is received within the stipulated period, it has to be construed that he has no explanation to submit and Government will take a decision thereon based on the material available as per rules in vogue and the Director, Scheduled Castes Development was also requested to furnish his remarks on

the explanation of the said individual for taking further necessary action in the matter.

11. In the reference 14th read above, the Director, SC Development, TS, Hyderabad has informed that the enquiry report was communicated to Sri B.Muthaiah, formerly ASWO, Ibrahimpatnam, Ranga Reddy District and retired as DSWO, O/o Joint Director (SCD), Ranga Reddy District vide Director, SCD Letter dated 23.09.2014 and the individual has submitted his explanation dated 07.10.2014.

12. Government, after examination of the enquiry report of Enquiry Officer and the explanation submitted by the charged officer thereon in detail, have observed that the Charged Officer is quite notorious in his activities. The type of irregularities indulged to do not justify the income of the Charged Officer. Out of a total 45 charges, 14 charges have been proved beyond doubt another 15 charges have been partly proved and 16 charges could not be proved perhaps for want of corroborative evidence. Under the circumstances as the irregularities indulged into are grave in nature, provisionally decided to impose a penalty of 50% cut in pension permanently against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district. Accordingly, issued a show cause notice to the individual vide reference 15th read above.

13. In response to the show cause notice, Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district has submitted his explanation and requested to drop further action and release all his benefits which were withheld due to pendency of the present case vide reference 16th read above.

14. Government, after examination of the explanation submitted by the Charged officer to the show cause notice, have decided to impose the penalty of 50% cut in pension permanently under Rule 9 of AP Revised Pension Rules, 1980, against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district. The matter was referred to Telangana State Public Service Commission for their concurrence vide reference 17th read above.

15. The Secretary, Telangana State Public Service Commission vide reference 18th read above, have stated that the Commission conveys its concurrence with the proposal of the Government to impose the penalty of 50% cut in pension permanently against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district.

16. The Government, after careful examination of the entire matter in detail, have decided to impose the penalty of 50% cut in pension permanently against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district under Rule 9 of the A.P. Revised Pension Rules, 1980.

17. Accordingly, Government hereby impose the penalty of 50% cut in pension permanently against Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam, Ranga Reddy District and now retired as District Social Welfare Officer, Ranga Reddy district under Rule 9 of the A.P. Revised Pension Rules, 1980.

[Contd..4..]

18. The Director, SCD, TS, Hyderabad shall take necessary action accordingly and furnish the action taken report to Government immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

**BENHUR MAHESH DUTT EKKA
SECRETARY TO GOVERNMENT**

To

Sri B.Muthaiah, former Assistant Social Welfare Officer, Ibrahimpatnam,
Ranga Reddy District and now retired as District Social Welfare Officer,
Ranga Reddy district (through the Director, SCD, TS, Hyderabad)

The Director, SCD, TS, Hyderabad

Copy to:

The Joint Director (SCD), Ranga Reddy district.

The Accountant General (A&E), Telangana, Hyderabad

The Deputy Accountant General (Pensions)

O/o Accountant General, Telangana, Hyderabad

The Secretary, TSPSC, Hyderabad w.r.t their Lr.No. 825/RT /TSPSC/2015

Dated:2.1.2016

PS to Vigilance Commissioner, TVC, Hyderabad.

PS to Special Secretary to Chief Minister (BR)

PS to Secretary to Government, SCDD

SF/SC

// FORWARDED :: BY ORDER //

SECTION OFFICER